

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
ANDRE M. DAVIS
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE
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December 1, 2003

MEMORANDUM TO COUNSEL RE:

Russian Research Center The Kurchatov Institute v.
Western Services Corporation
Civil No. AMD 02-3878

I have read and considered the briefing on Western's motion to amend. I am persuaded that the amendment to the counterclaim should be allowed; the third party defendant will suffer no prejudice by this amendment.

As for the amended answer, I am denying the motion without prejudice to Western's right to seek appropriate relief under Local Rule 106.2.d. This strikes me as entirely appropriate inasmuch as the assertion is made that all the evidence bearing on the proposed amendment to the answer is well known and/or might be easily obtained during the remaining days of discovery. I will be in a better position to evaluate that contention at the pre-trial order stage.

It is SO ORDERED.

Very truly yours,

/s/

Andre M. Davis
United States District Judge

AMD:tt